

Complaints ,Disciplinary Appeals Procedure



(Covers all matters other than suspected child abuse which has to be referred to the Statutory Authorities)

While many concerns can be dealt with in an informal manner to the satisfaction of all concerned, it is advisable that detailed records are maintained in respect of all complaints and that all parties are advised of the formal complaints and appeals procedure. All reasonable efforts to resolve matters should be exhausted at local level before accessing the appeals procedure.

Step One

Any person who has a complaint or concern should bring it to the attention of the secretary under the relevant rules of the body concerned.

The complaint or concern should be in writing and should outline all relevant details and other parties involved in line with procedure.

Step Two

The complaint or concern should then be brought to the attention of the appropriate person in line with club rules who will convene a disciplinary committee/panel (best practice would advise that this committee/panel would consist of three members) **unless the complaint or concern relates to a child abuse matter or criminal offence that meets criteria for formal reporting to the statutory authorities.**

Where there are potential contentious issues, due consideration should be given to ensure the independence of the disciplinary committee/panel and therefore, it is advisable that members of the disciplinary committee/panel should not be directly involved as lack of independence is often cited as a ground for appeal.

Step Three

The disciplinary committee/panel should furnish any participant with details of the complaint being made against them and afford them the opportunity of providing a response either verbally or in writing. In the event of a complaint against a child, the parents/guardians should be informed and advised of the process.

Step Four

The disciplinary committee/panel should then hear the case of all parties involved and decide if a rule or regulation has been infringed.

Step Five

The disciplinary committee/panel should then inform in writing those involved of their decision and any sanctions if any that are to be imposed. This notification should be in writing, setting out the reasons for the sanction. (Written notification should be forwarded to parents if the proceedings involve a participant under eighteen years of age)

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Step Six

Any party unhappy with the findings of the disciplinary committee/panel can appeal the decision in writing to their respective superior body as per rules. Clubs, leagues, divisional associations and other football bodies should review their rules to ensure they contain a provision that facilitates an appeals procedure in this respect.

Step Seven

The appeal body should then rehear the case and all evidence, should be considered. The appeals body should have the power to uphold or reject the appeal or to vary, alter or set aside any sanction imposed by the disciplinary committee/panel.

Written confidential records in relation to disciplinary proceedings should be safely and confidentially kept on file (procedures should clearly define the possession of such records in the event of election of new officers)

Anonymous Complaints

Anonymous complaints can be difficult to deal with, however they cannot be ignored. All complaints relating to inappropriate behaviour/poor practice should be brought to the attention of the Chairperson of the Club. In all cases the safety and welfare of the child/children is paramount.

All complaints should be checked out and handled in a confidential manner. It is important to record all such complaints and actions taken. Specific advice on dealing with anonymous complaints can be got from your local HSE duty social worker or alternatively the Football Association of Ireland National Children's Officer.

Rumours

Rumours should not be allowed hang in the air. Any rumour/s relating to inappropriate behaviour/s circulating in the club should be brought to the attention to the Chairperson and checked out promptly. All ensuing information should be handled confidentially and with sensitivity.

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Confidentiality

Confidentiality is about managing information in a respectful, professional, and purposeful manner. It is important that the rights of both the child and the person about whom the complaint has been made are protected. Therefore, appropriate confidentiality will be maintained in respect of all issues and people involved in concerns about the welfare of a child or bad practice within the club.

The following points will be borne in mind:

- A guarantee of confidentiality or undertakings regarding secrecy cannot be given, as the welfare of the child will supersede all other considerations.
- All information should be treated in a careful and sensitive manner and should only be discussed with those who need to know.
- Information will be conveyed to the parents/guardians of a child about whom there are concerns in a sensitive way.
- Giving information to others on a “need to know” basis for the protection of a child is not a breach of confidentiality.